REMARKS

Applicants have carefully reviewed the Office Action mailed September 23, 2010. Claims 1, 3–16, and 18–25 remain pending, with new claim 25 added to afford applicants the full measure of patent protection to which they deem themselves entitled. Applicants have added no new matter. Applicants request reconsideration of the rejection in view of the following remarks.

Claims 1, 3–4, 9-11, 16, 18–19, and 24 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,715,008 to Sekiguchi et al. (hereinafter "Sekiguchi"). Claims 5–8, 12–15, and 20–23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sekiguchi in view of U.S. Patent No. 6,201,612 to Matsushiro et al. (hereinafter "Matsushiro"). Applicants respectfully traverse these rejections.

Claim 1 recites, *inter alia*, "wherein the error concealment stage varies the strength of the deblocking performed by the deblocking filter in accordance with an error concealment technique." Claim 16 recites analogous language. The Examiner asserts that Sekiguchi teaches this element in its FIG. 18, making further reference to filter instruction flag 17.

Applicants respectfully disagree with the Examiner's characterization of Sekiguchi. In particular, applicants note that Sekiguchi's filter instruction flag constitutes a binary value, determining or not to filter. *See* Sekiguchi, Col. 13, lines 26–29. Sekiguchi contains no support for the Examiner's assertion regarding the *variation* of the strength of deblocking. Instead, Sekiguchi merely teaches the use of an on/off signal based solely on detection of contamination. *See* Sekiguchi, Col. 8, line 66 through Col. 9, line 9. Even Sekiguchi's discussion of limiting the filtering process (referring to the duration of filtering across multiple pictures, rather than a filtering strength) explicitly describes the step of limiting filter by a *designated value*, rather than any sort of sensitivity to error concealment technique. *See* Sekiguchi, Col. 13, lines 38–43.

As such, Sekiguchi fails to disclose or suggest applicants' step of varying the strength of deblocking. Even assuming, *arguendo*, that Sekiguchi did disclose such variation, Sekiguchi fails to disclose varying the strength of deblocking in accordance with an error concealment technique.

The examiner has introduced the Matsushiro reference solely to show the desirability of modifying the quantization parameters. Thus, Matsushiro cannot cure the deficiencies of

Sekiguchi. As such, applicants respectfully assert that Sekiguchi and/or Matsushiro, taken alone or in combination, fail to disclose or suggest all of the elements of claims 1 and 16, so such claims patentably distinguish over the prior art. Claims 3–15 and 18–24 depend from claims 1 and 16 and incorporate by reference all of the elements of their parent claims, claims 1, 3–16, and 18–24, thus patentably distinguish over the art of record for the same reasons.

In addition, the dependent claims recite patentable subject matter separate and apart from that recited in the base claims. For example, claim 9 recites, "wherein the error concealment stages varies each of a pair of offset values A and B for the deblocking filter." The Examiner asserts that the switches SW1 and SW2 shown in FIG. 18 of Sekiguchi represent the variation of such offset values. In this regard, The Examiner states, "these switches varies the error concealment stages for the deblocking filter 130, thus meeting the claimed invention in its broadest possible sense, consistent with applicant's own disclosure." Applicants respectfully disagree. Sekiguchi does not describe *in any way* offset values for the deblocking filter.

The Examiner has the right to interpret the claim language as broadly as is reasonable, but Applicants firmly believe that the Examiner has exceeded that constraint in the present Action. In particular, the switches of Sekiguchi clearly engage the "field blocking portion 129" of FIG. 18, which functions solely to rearrange a frame format predicted image into field frame format. See Sekiguchi, Col. 20, lines 20–21. Sekiguchi says nothing regarding offset values for the deblocking filter, and thus, switches SW1 and SW2 cannot represent or vary any such values.

Applicants respectfully assert that the Examiner has interpreted Sekiguchi's FIG. 18 too broadly and that Sekiguchi fails to disclose or suggest varying a pair of offset values for a deblocking filter. Applicants thus request reconsideration of the rejections of claim 9.

Applicants have added new claim 25 which includes many of the features of claim 1 but provides further clarification for how the error concealment technique affects the strength of deblocking. As pointed out in the present specification, many techniques for spatial error concealment exist. *See* present specification, p. 4, line 18 through p. 6, line 20. As pointed out on page 7, lines 7–9, the selection of an error concealment algorithm varies the boundary strength value used in filtering. Different correction techniques will need differing amounts of filtering. This sensitivity to the type of error correction allows the present invention to

provide an appropriate amount of filtering—too little filtering results in obvious visual artifacts, but too much filtering results in blurring. The cited art simply does not teach of suggest any mechanism for achieving this advantage recited in applicants' claim 25. Therefore claim 25, just like claims 1 and 16, patentably distinguishes over the art of record.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. **07-0832.**

Respectfully submitted,

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